

1 Craig M. Murphy, Esq.  
Nevada Bar No. 4014  
2 craig@nvpilaw.com  
MURPHY & MURPHY LAW OFFICES  
3 3900 S. Hualapai Way, Ste 134  
Las Vegas, Nevada 89147  
4 **Mailing Address:**  
**4482 Market Street, Ste 407**  
5 **Ventura, CA 93003**  
(702) 369-9696 Phone  
6 (702) 369-9630 Fax  
Attorney for Plaintiff  
7

8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 MONICA PENA, individually;

11 Plaintiff,

12 v.

13 NEVADA PROPERTY 1, LLC, a Domestic  
14 Limited-Liability Company d/b/a THE  
COSMOPOLITAN OF LAS VEGAS; DOES  
15 1-10, inclusive; and ROE ENTITIES 1-10,  
inclusive,

16 Defendants.  
17

Case No.: 2:24-cv-00408-RFB-DJA

**STIPULATION AND ORDER TO  
EXTEND DISCOVERY DEADLINES  
(SECOND REQUEST)**

18 The parties, by and through their counsel of record, hereby submit the following Stipulation  
19 and Order to Extend Discovery Deadlines (First Request). Good cause is present for this  
20 Stipulation under Local R. 26-3 ("A request made within 21 days of the subject deadline must be  
21 supported by a showing of good cause.").

22 Counsel for the parties have been involved in resolving the remainder of the case for  
23 judicial economy; however, settlement discussions have not yet been successful. At present, the  
24 parties are anticipating that Plaintiff's counsel will produce the additional information which  
25 Defendant will need to receive and review before the scheduling depositions in this case, and aid  
26 in determination for which kind of expert witness is most appropriate to retain, in the event  
27 settlement is not reached.

28 In addition, counsel for the parties need to seek resolution of this matter through mediation,

1 and parties are currently in discussion to schedule.

2 IT IS HEREBY STIPULATED AND AGREED by and between CRAIG M. MURPHY,  
3 ESQ. of the law firm MURPHY & MURPHY LAW OFFICES, counsel for Plaintiff MONICA  
4 PENA (hereinafter “Plaintiff”), and TANIA G. BONILLA, ESQ. of the law firm of WILSON,  
5 ELSER, MOSKOWITZ, EDELMAN & DICKER LLP as counsel for Defendant NEVADA  
6 PROPERTY 1, LLC (hereinafter “Defendant”), that certain discovery deadlines be extended by  
7 sixty (60) days, as set forth below, to allow the Parties to complete discovery and schedule a  
8 mediation prior to trial.

9 I. STATEMENT SPECIFYING DISCOVERY THAT HAS BEEN COMPLETED

10 To date, the Parties have completed the following discovery:

- 11 1. Plaintiff Pena has disclosed a computation of damages and a list of providers;
- 12 2. Defendants have subpoenaed medical records from the list of providers (nine
- 13 providers) and are still awaiting a few responses.
- 14 3. Plaintiff has issued written discovery requests against Defendant.
- 15 4. Defendant has issued written discovery requests against Plaintiff.

16 II. SPECIFIC DESCRIPTION OF REMAINING DISCOVERY COMPLETED:

- 17 1. Depositions;
- 18 2. Responses to Written Discovery Propounded Upon Plaintiff and Defendant;
- 19 3. Retainer of Expert Witnesses;
- 20 4. The Parties intend to serve supplements to written discovery responses and
- 21 disclosures.
- 22 5. The Parties will assess the need for additional discovery and conduct same accordingly.

23 III. REASONS WHY DISCOVERY WAS NOT COMPLETED WITHIN DEADLINES:

24 Since the commencement of discovery, the parties have been working amicably together  
25 to gather relevant documents, issue necessary discovery, engage in cost effective means to resolve  
26 this matter. However, as set forth above, the parties have been unable to conclude discovery for  
27 the following reasons.

- 28 • The stipulated Discovery Plan & Scheduling Order was filed December 31, 2024.

- The end of the year 2024 holidays caused delay in subpoenas.
- A heavy workload for the defense attorney following unexpected attorney departures.

The parties are working to complete discovery as quickly as possible but need additional time to do so and prepare for trial. Due to the issues stated above, the Parties respectfully request an additional sixty (60) days to complete adequate and vital discovery to prepare for trial in this matter. The parties strongly believe they will be able to pursue avenues of dispute resolution; however, additional time is needed to appropriately do so.

#### IV. PROPOSED SCHEDULE FOR COMPLETING REMAINING DISCOVERY:

1. Discovery Cut-Off: The parties jointly propose that the discovery cut-off date be extended sixty (60) days from its present deadline of July 7, 2025, to September 8, 2025.

2. Deadline for Amending the Pleadings and Adding Parties: This deadline need not be amended.

3. Rule 26(a)(2) Disclosures: The parties shall disclose all expert witnesses by August 6, 2025 and rebuttal reports by August 27, 2025.

4. Dispositive Motions: The parties jointly propose that dispositive motions shall be extended sixty (60) days from the present deadline of August 5, 2025 to October 6, 2025.

5. Joint Pretrial Order: The parties jointly propose the current Joint Pretrial Order shall be extended sixty (60) days from the present deadline of September 6, 2025 to November 6, 2025 unless a dispositive motion is filed. If a dispositive motion is filed, the Joint Pretrial Order will not be due until 30 days after the dispositive motion is decided.

6. Trial Estimate: The parties estimate the trial in this case will last approximately five days.

7. Fed. R. Civ. P. 26(a)(3) Disclosure: The disclosure by FRCP 26(a)(3), and any objections thereto, shall be included in the joint pre-trial order.

8. Alternative Dispute Resolution: Counsel for the parties certify that they met and conferred about the possibility of using alternative dispute resolution, including mediation, and/or early neutral evaluation. **The parties are looking to schedule mediation at the end of June or**

1 **beginning of July.**

2 9. Alternative Forms of Case Disposition: The Parties certify that they discussed  
3 consenting to trial by a magistrate judge or engaging the Short Trial Program under FRCP 37 and  
4 presently do not consent to either alternative form of case disposition.

5 10. Electronic Evidence: The parties certify that they have discussed and intend to use  
6 electronic evidence at the trial of this matter and will ensure that said evidence is in electronic  
7 format compatible with the Court's electronic jury evidence display system.

8 11. Extensions or Modifications of the Discovery Plan and Scheduling Order: Any  
9 stipulation or motion must be made no later than twenty-one (21) days before the subject deadline.  
10 Requests to extend discovery deadlines must comply fully with LR 26-3.

11 Respectfully Submitted:

12 Dated this 6<sup>th</sup> day of June, 2025.

Dated this 6<sup>th</sup> day of June, 2025

13 MURPHY & MURPHY LAW OFFICES

WILSON, ELSER, MOSKOWITZ,  
EDELMAN & DICKER LLP

14 /s/ Craig M. Murphy, Esq.

15 /s/ Tania G. Bonilla, Esq.

16 Craig M. Murphy, Esq.  
17 Nevada Bar No. 4014  
3900 S. Hualapai Way, St. 134  
Las Vegas Nevada 89147  
18 Mailing Address:  
4482 Market Street, Ste. 407  
19 Ventura, CA 93003  
Attorney for Plaintiff  
20 Monica Pena

Michael P. Lowry, Esq.  
Nevada Bar No. 10666  
Tania G. Bonilla, Esq.  
Nevada Bar No. 015703  
6689 Las Vegas Blvd. South, Suite 200  
Las Vegas, NV 89119  
Attorneys for Defendant  
Nevada Property 1, LLC

21 **IT IS SO ORDERED.**

22 

23  
24 **DANIEL J. ALBREGTS**  
25 **UNITED STATES MAGISTRATE JUDGE**

26 **Dated:** 6/9/2025

## Mary Fischer

---

**From:** Bonilla, Tania G. <Tania.Bonilla@wilsonelser.com>  
**Sent:** Friday, June 6, 2025 12:49 PM  
**To:** Mary Fischer  
**Cc:** Craig Murphy; Clark, Angela  
**Subject:** RE: Pena v. Nevada Property 1, LLC  
**Attachments:** Stipulation and Order to Extend Discovery Deadlines (Second Request).docx

See attached changes to Stipulation. If approved you may affix my signature.

Thank you,

Tania G. Bonilla  
Attorney at Law  
Wilson Elser Moskowitz Edelman & Dicker LLP  
6689 Las Vegas Blvd. South, Suite 200  
Las Vegas, NV 89119  
702.727.1266 (Direct)  
702.592.4234 (Cell)  
702.727.1400 (Main)  
702.727.1401 (Fax)  
[tania.bonilla@wilsonelser.com](mailto:tania.bonilla@wilsonelser.com)

---

**From:** Mary Fischer <mary@nvpilaw.com>  
**Sent:** Friday, June 6, 2025 12:19 PM  
**To:** Bonilla, Tania G. <Tania.Bonilla@wilsonelser.com>  
**Cc:** Craig Murphy <craig@nvpilaw.com>  
**Subject:** RE: Pena v. Nevada Property 1, LLC

**EXTERNAL EMAIL** This email originated from outside the organization.

Tania,

Here you go. If acceptable, please provide me with authorization to apply your e-signature and we'll get it filed.

Regards,

**Mary Fischer**  
Paralegal/Case Manager  
MURPHY & MURPHY LAW OFFICES



Personal Injury Trial Lawyers  
(702) 369-9696 Las Vegas \* (805) 330-3393 California \* (702) 369-9630 Fax

**Mailing Address for All Locations: 4482 Market Street, Ste 407, Ventura, CA 93003**

Las Vegas Office: 3900 S. Hualapai Way, Ste 134, Las Vegas, NV 89147